

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re:	:	
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THE FINANCIAL OVERSIGHT AND	:	PROMESA
MANAGEMENT BOARD FOR PUERTO RICO,	:	Title III
	:	
as representative of	:	Case No. 17-BK-3283 (LTS)
	:	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i> ,	:	(Jointly Administered)
	:	
Debtors. ¹	:	
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**URGENT MOTION OF OFFICIAL COMMITTEE OF UNSECURED CREDITORS
FOR LEAVE TO EXCEED PAGE LIMITS IN ITS OMNIBUS REPLY TO
OBJECTIONS AND RESPONSES TO MOTION OF COMMITTEE FOR ORDER,
UNDER BANKRUPTCY RULE 2004, AUTHORIZING DISCOVERY PROGRAM
WITH RESPECT TO CERTAIN CAUSES OF PUERTO RICO FINANCIAL CRISIS**

To the Honorable United States Magistrate Judge Judith Gail Dein:

The Official Committee of Unsecured Creditors of the Commonwealth of Puerto Rico (and other title III debtor(s) (if any) for which it acts as the official committee of unsecured creditors) (the “Committee”) respectfully submits this urgent motion (the “Urgent Motion”) requesting entry of an order, substantially in the form of Exhibit A, allowing it to exceed the fifteen page limit set forth in the *First Amended Notice, Case Management and Administrative Procedures* [Docket No. 262-1] (“Case Management Procedures”) for the Committee’s omnibus reply (the “Omnibus Reply”) to the objections and responses (the “Responses”) ² filed to the

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808), and (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of Federal Tax ID: 8474).

² See (i) *Popular, Inc., Popular Securities LLC, and Banco Popular de Puerto Rico’s Objection and Reservation of Rights with Respect to the Committee’s Bankruptcy Rule 2004 Motion* [Docket No. 793]; (ii) *The Official Committee of Retired Employees of the Commonwealth of Puerto Rico’s Objection to the Motion of Official*

Motion of Official Committee of Unsecured Creditors for Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of Puerto Rico Financial Crisis [Docket No. 706] (the “Rule 2004 Motion”), and respectfully represents as follows:

1. The Committee filed the Rule 2004 Motion on July 21, 2017. On July 26, 2017, the Court, pursuant to an order entered by Judge Laura Taylor Swain [Docket No. 764], referred the Rule 2004 Motion to Magistrate Judge Judith Gail Dein.

2. Five (5) separate Responses were filed in response to the Rule 2004 Motion. The last of the Responses was received by the Committee earlier today, on August 3, 2017.

3. Pursuant to Paragraph III.I of the Case Management Procedures, the Committee’s deadline to reply to the Responses is August 5, 2017.

4. Pursuant to Paragraph I.E of the Case Management Procedures, memoranda of law in support of replies are limited to fifteen (15) pages unless prior permission has been granted.

5. In the interest of efficiency and for the convenience of the Court, the Committee intends to file a single Omnibus Reply combining the Committee’s replies to each of the five Responses. However, given the number and length of the Responses that are to be addressed in the Omnibus Reply, the Committee will not be able to meet the fifteen-page limit.

Committee of Unsecured Creditors for Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of the Puerto Rico Financial Crisis [Docket No. 806]; (iii) *Objection of Santander Securities LLC, Santander Asset Management LLC and Banco Santander Puerto Rico to Motion of Official Committee of Unsecured Creditors for Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of Puerto Rico Financial Crisis* [Docket No. 808]; (iv) *Objection of AAFAF to the Motion of the Official Committee of Unsecured Creditors for Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of Puerto Rico Financial Crisis* [Docket No. 825]; (v) *Objection of Debtors to Motion of Official Committee of Unsecured Creditors for Entry of Order, Under Bankruptcy Rule 2004, Authorizing Discovery Program with Respect to Certain Causes of Puerto Rico Financial Crisis* [Docket No. 859].

6. Accordingly, the Committee respectfully seeks leave to file an Omnibus Reply that will not exceed forty-five (45) pages, excluding exhibits, pages containing the case caption, and signature pages.

7. The Committee submits that its request is reasonable and appropriate. The Committee would further note that, pursuant to the fifteen-page limit established by the Case Management Procedures, it appears that the Committee could, in theory, file separate replies to each of the five Responses of fifteen-pages each, or a total of seventy-five pages of reply briefing (although the Committee does not believe that this would be an efficient course for the Court or any of the parties).

8. Proposed counsel to the Committee certifies that there is a true need for urgent relief and such urgency was not created through any lack of due diligence.

Notice

9. Notice of the Urgent Motion has been provided to the following entities, or their counsel, if known: (i) the Bank of New York Mellon; (ii) the U.S. Trustee; (iii) the Office of the United State Attorney for the District of Puerto Rico; (iv) the Oversight Board; (v) the Puerto Rico Fiscal Agency and Financial Advisory Authority; (vi) the official committee of retirees; (vii) the insurers of the bonds issued or guaranteed by the Debtors; (viii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors;³ and (ix) all parties that have filed a notice of appearance in the Title III Cases.

No Prior Request

10. No previous request for the relief sought herein has been made by the Committee to this or any other court.

³ Which include the Mutual Fund Group, the Ad Hoc Group of General Obligation Bondholders, the COFINA Senior Bondholders' Coalition, and the QTCB Noteholder Group, each as such group is defined at Docket Nos. 28, 68, 216, and 134 in the Commonwealth Title III Case, respectively.

WHEREFORE, the Committee respectfully requests that this Court enter an order substantially in the form attached hereto as Exhibit A, granting the relief requested herein and such other and further relief as this Court deems appropriate.

Dated: August 3, 2017
San Juan, Puerto Rico

/s/ G. Alexander Bongartz

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- and -

/s/ Juan J. Casillas Ayala

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